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Clerk, U. S. Dist. Court
W. Dist. of N. C.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:03CR71-MU -5

UNITED STATES OF AMERICA,

v.

DAVID RICHARD REEVES

**FINAL ORDER
OF FORFEITURE**

On November 5, 2004, this Court entered a preliminary order of forfeiture pursuant to 21 U.S.C. §853 and Fed. R. Crim. P. 32(d)(2), based upon the defendant's plea agreement and plea of guilty to Counts One and Two in the bill of indictment. In those count, defendant was charged with conspiracy to possess with intent to distribute hydrocodone and oxycodone in violation of 21 U.S.C. §841(a)(1) and §846.


On January 20, January 27, and February 3, 2005, the United States published in the Morganton, North Carolina, News-Herald, a newspaper of general circulation, notice of this forfeiture and of the intent of the government to dispose of the forfeited property in accordance with the law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed.

Based on the record in this case, including the grand jury's finding of probable cause that these sums of currency were seized from defendant and from his residence on or about November 22, 2002, the Court finds, in accordance with Fed. R. Crim. P. 32.2(c)(2) and (e)(1)(B), that the defendant had an interest in the property listed below that is forfeitable under 21 U.S.C. §881(a)(4) and (6). The preliminary order of forfeiture has therefore become final as to this property, and it is

subject to forfeiture pursuant to Rule 32.2(c)(2).

It is therefore ORDERED that all right, title, and interest in the following property is hereby forfeited to the United States for disposition according to law: the sums of \$1600 and \$7700 in United States currency.

This the 13th day of June, 2005.


GRAHAM C. MULLEN
UNITED STATES DISTRICT JUDGE